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Attorney for Defendant
ANTHONY A. VALLIER

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR. S-04-0352 MCE
)	
Plaintiff,)	
)	
v.)	STIPULATION AND ORDER
)	MODIFYING MOTIONS SCHEDULE
)	
ANTHONY A. VALLIER,)	
)	
Defendant.)	Date: July 12, 2005
)	Time: 8:30 a.m.
_____)	Judge: Hon. Morrison C. England Jr.

IT IS HEREBY STIPULATED AND AGREED between plaintiff, United States of America, and defendant, Anthony Vallier, through their attorneys, that the schedule for briefing and hearing on a motion to suppress evidence may be amended as follows:

1. The motion and a supporting memorandum shall be filed by July 12, 2005;
2. Any opposition to the motion shall be filed by August 2, 2005;
3. A reply brief may be filed by August 16, 2005;
4. Hearing on the motion shall be held August 23, 2005, at 8:30 a.m. (Should it be necessary to hear evidence in order to decide the motion, an evidentiary hearing may be scheduled at a later date and

1 time.) In light of the new hearing date, the hearing scheduled for July
2 12, 2005, may be vacated.

3 So that defense counsel will have sufficient time to complete
4 necessary factual investigation and legal research, to draft the motion,
5 and to assemble the supporting papers, the parties also agree that the
6 ends of justice to be served by a continuance outweigh the best interests
7 of the public and Mr. Vallier in a speedy trial and that time under the
8 Speedy Trial Act may be excluded through the date the motion is filed
9 and, specifically, through the hearing on August 23, 2005, pursuant to 18
10 U.S.C. § 3161(h) (8) (A) and (B) (iv).

11 Respectfully submitted,

12 QUIN DENVIR
13 Federal Defender

14 Dated: June 20, 2005

15 /s/ T. Zindel
16 TIMOTHY ZINDEL
17 Assistant Federal Defender
18 Attorney for ANTHONY A. VALLIER

17 MCGREGOR SCOTT
18 United States Attorney

19 Dated: June 20, 2005

20 /s/ M. Stegman
21 MATT STEGMAN
22 Assistant U.S. Attorney

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O R D E R

The above schedule is adopted and time under the Speedy Trial Act is excluded through August 23, 2005, for the reasons stated and by agreement of the parties. Pretrial motions shall be heard on August 23, 2005, at 8:30 a.m. rather than the previously-set date of July 12, 2005.

IT IS SO ORDERED.

Dated: June 24, 2005


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE